

COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER:	1700.01
COMPLAINT INVESTIGATOR:	John Hill
DATE OF COMPLAINT:	February 26, 2001
DATE OF REPORT:	March 26, 2001
REQUEST FOR RECONSIDERATION:	no
DATE OF CLOSURE:	June 29, 2001

COMPLAINT ISSUES:

Whether the Logansport Community School Corporation and the Logansport Area Joint Special Services Cooperative violated:

- 511 IAC 7-25-4(b) with regard to the school's alleged failure to conduct an initial educational evaluation and convene a case conference committee (CCC) meeting within 60 instructional days of the date the parent provided written consent.

During the course of the investigation, the following additional issue was identified:

- 511 IAC 7-17-72 with regard to the school's alleged failure to:
 - a. assign the student to a teacher of record who is appropriately licensed in the area of multiple disabilities; and
 - b. ensure the student's TOR attends CCC meetings for the student.

FINDINGS OF FACT:

1. The student is a nine-year-old, third-grade home schooled student who has been determined eligible for special education and related services due to Multiple Disabilities.
2. The parent signed the speech and language permission for evaluation form on October 5, 2000.
3. The parent sent a letter, dated October 16, 2000 amending the October 5, 2000 request for evaluation. The amended request specified that the speech and language evaluation should be conducted by a speech pathologist trained and experienced in augmentative communication, assistive technology, and working with persons who are nonverbal.
4. The CCC meeting convened on March 9, 2001, to review the evaluation, 73 instructional days after the original request and 66 instructional days after the amended request for evaluation had been received.
5. The CCC Summary/IEP, dated March 9, 2001 indicates participation of the CCC Chairperson, the speech-language pathologist, and the supervisor for speech-language

services. There is no signature to indicate the attendance of a teacher of record.

6. The school states that the speech-language pathologist is assigned as the student's teacher of record. The speech-language pathologist is not licensed in the area of multiple disabilities.

CONCLUSIONS:

1. Findings of Facts #2, #3, and #4 reflect that the school failed to conduct the speech evaluation and convene the CCC within 60 instructional days of the date of the parent's written consent. Therefore, a violation of 511, IAC 7-25-4(b) is found.
- 2a. Findings of Facts #1 and #6 indicate that the school failed to assign a student with multiple disabilities to a teacher of record who is licensed in that disability area. Therefore, a violation of 511 IAC 7-17-72 is found.
- 2b. Findings of Fact #5 and #6 establish that an appropriately licensed teacher of record did not attend the student's CCC meeting on March 9, 2001. Therefore, a violation of 511 IAC 7-17-72(2) is found.

The Department of Education, Division of Special Education requires the following corrective action based on the Findings of Fact and Conclusions listed above.

CORRECTIVE ACTION:

The Logansport Community School Corporation and the Logansport Area Joint Special Services Cooperative shall:

1. In-service all appropriate staff regarding the requirements to conduct an educational evaluation and convene a case conference committee within sixty instructional days of the date of written parental consent as specified in 511 IAC 7-25-4(b). Submit documentation to the Division that the in-service has been completed no later than April 30, 2001. The documentation must include a list or agenda of all issues discussed, any handouts that were distributed, and a list of attendees by name and title.
2. Immediately assign an appropriately licensed teacher as the Student's teacher of record. Submit a copy of the notice of assignment provided to the teacher of record, along with a copy of the teacher's current license, no later than April 13, 2001.
3. Submit an assurance statement to the Division no later than April 21, 2001, that the newly assigned teacher of record is aware of his/her responsibilities pursuant to 511 IAC 7-17-72 and 511 IAC 7-27-7(b) and will attend the Student's CCC meetings. The letter of assurance shall be submitted to the Division no later than April 13, 2001.

DATE REPORT COMPLETED: March 26, 2000